

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

**F042211      People v. Roberts**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F042211      People v. Roberts**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F040782      People v. Ethridge**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F040782      People v. Ethridge**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F041000      People v. Miller**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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- F041000      People v. Miller**  
The judgment is affirmed.  
By the Court.  
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F039535      Benoy v. Wallace Transportation, Inc. et al.**  
The judgment is affirmed. Costs to respondents. Harris, J.  
We concur: Vartabedian, Acting P.J.; Cornell, J.  
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F039542      People v. Gomez et al.**  
Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.
- F039299      People v. Russell**  
Filed modification of opinion (no change in judgment). Petition for rehearing is denied. Wiseman, J.  
We concur: Harris, Acting P.J.; Levy, J.  
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F039200      People v. Martinez**  
Appellant's petition for rehearing filed herein is denied.
- F042064      In re Timothy T., a Minor**  
Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.
- F042064      In re Timothy T., a Minor**  
The judgment is affirmed.  
By the Court.  
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

IN THE

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IN AND FOR THE

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**F043128      Mauchley et al. v Lonestar Mortgage Services et al.**

Appellant having failed to perform the acts necessary to procure the record after the clerk of the trial court issued notice pursuant to the provisions of rule 8(a)(1), California Rules of Court, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

**F043035      In re Aurallia V., a Minor**

IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

**F043265      Paul F. v. Superior Court of Tulare County; Tulare Co. Health & Human Services Agency**

Pursuant to the terms of this court's order of July 17, 2003, and the failure of any party to request oral argument, the oral argument date of August 7, 2003, is vacated.

This matter is deemed submitted on the date of this order.

**F040093      People v. Evangelista**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.